## BOEHM, KURTZ & LOWRY

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PUBLIC SERVICE COMMISSION

## Via Overnight Mail

August 29, 2014

Mr. Jeff Derouen, Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re: Case No. 2014-00226

Dear Mr. Derouen:

Please find enclosed the original and ten (10) copies of KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC's NOTICE TO WITHDRAWAL for filing in the above-referenced matter.

By copy of this letter, all parties listed on the Certificate of Service have been served. Please place this document of file.

Very Truly Yours,

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY** 

MLKkew Attachment

cc.

Certificate of Service Quang Nyugen, Esq. Richard Raff, Esq.

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail (when available) and by regular, U.S. mail, unless other noted, this 29<sup>th</sup> day of August, 2014 to the following:

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq. Jody Kyler Cohn, Esq.

Anthony S Campbell President & CEO East Kentucky Power Cooperative, Inc. 4775 Lexington Road P. O. Box 707 Winchester, KY 40392-0707

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

IN THE MATTER OF:

SEP 02 2014

PUBLIC SERVICE COMMISSION

AN EXAMINATION OF THE APPLICATION )
OF THE FUEL ADJUSTMENT CLAUSE OF )
EAST KENTUCKY POWER COOPERATIVE, INC.)
FROM NOVEMBER 1, 2013 THROUGH APRIL )
30, 2014 )

CASE NO. 2014-00226

NOTICE OF WITHDRAWAL OF KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

On August 22, 2014, Kentucky Industrial Utility Customers, Inc. ("KIUC") filed a Motion to Intervene and a Petition to Amend Procedural Schedule in this proceeding. KIUC's intent in filing both pleadings was to better understand how East Kentucky Power Cooperative ("EKPC") allocated its fuel costs between native load and off-system sales during the review period and to assess the reasonableness of that approach. On August 27, 2014, EKPC filed Responses to Kentucky Public Service Commission Staff's data requests in this proceeding, which explain EKPC's fuel cost allocation approach. Having reviewed the additional information provided in EKPC's Responses, and having confirmed that EKPC allocates its lowest fuel cost resources to native load customers, KIUC no longer needs to continue its involvement in this proceeding. Consequently, KIUC hereby withdraws its Motion to Intervene and Petition to Amend Procedural Schedule.

Respectfully submitted,

Michael L. Kurtz, Esq. Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

**BOEHM, KURTZ & LOWRY** 

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